

## **Discretionary Development and Water Offsets – Rural and Village Areas**

### **RCS Recommendation**

*In unincorporated rural areas of the basin defined as lands located outside the County Land Use Element's Urban Reserve Lines:*

- a. Do not approve General Plan amendments that result in a net increase in the non-agricultural use of groundwater;*
- b. Prohibit new land divisions in the rural areas of the basin;*
- c. All discretionary development shall offset its water use with nonagricultural water, except that proposed Agricultural Processing uses (as defined in the Land Use Ordinance), including outdoor and other appurtenant water use, shall be subject to project- specific land use and/or water conservation mitigation measures required by the review authority based on environmental review.*

### **Staff-recommended Implementation**

*Revise Title 22 to add the following sections:*

#### **22.25.010 – Discretionary Development in the Paso Robles Groundwater Basin (see Figure xx-xxx)**

The following standards apply to lands that use water from the Paso Robles Groundwater Basin and are located outside of urban reserve lines.

##### **a. Definitions**

- i.** “Net increase” means the expected increase in water use due to the proposed discretionary project, taking into account net existing demand.
- ii.** “Net existing water demand” is the amount of non-agricultural water used on the site of a proposed discretionary development project minus the volume of water returned to the groundwater basin through wastewater return flows. The calculation of net existing water demand is the sole responsibility of the Planning Director using historical water records if available or other means if records are not available.
- iii.** “Net new water demand” is the amount of non-agricultural water to be used by new discretionary development minus the volume of water returned to the groundwater basin through wastewater return flows. The calculation of net new water demand is the sole responsibility of the Planning Director using water demand factors for the proposed land uses.

- iv. “Non-agricultural water” as used in this section is water that has never been used, whether on or off the site, for an agricultural activity such as cultivation, growing, harvesting and production of any agricultural commodity and appurtenant practices incidental to the production of agricultural commodities.
- b. General Plan Amendments – General Plan amendment applications that would result in a net increase in the non-agricultural use of water shall not be approved until a Level of Severity I is certified for the Basin by the Board of Supervisors after adoption of a Resource Capacity Study.
- c. Land Divisions – Divisions of land shall not be approved until a Level of Severity I is certified for the Basin by the Board of Supervisors after adoption of a Resource Capacity Study. Exceptions to this provision may be approved by the review authority only when the proposed land division is:
  - i. For a public use (e.g. fire station), or
  - ii. Required for conservation purposes and found to be consistent with the Conservation and Open Space Element of the General Plan.
- d. Outdoor water use is subject to the following requirements:
  - i. Residential uses shall have no more than 25% percent of the area of irrigated, ornamental landscaping planted with turf.
  - ii. All landscaped areas shall be irrigated with automatic irrigation systems, including irrigation controllers and moisture sensors.
  - iii. All landscape materials will be low-water using.
  - iv. Non-irrigated, drought resistant landscaping is encouraged in lieu of irrigated landscaping. The portion of a rural parcel that is not used for structural development, landscaping or driveways is encouraged to be left in a native state.
- e. Discretionary Development – Land use permits for discretionary development shall offset the resulting net new demand for water. Land use permit applications shall include existing water use data, if it is available, that is sufficient to calculate net existing water demand on the proposed project site. The land use application shall include descriptions of all proposed uses on the site in a level of detail adequate to calculate the proposed project’s net new water demand.
- f. The net new water demand resulting from new discretionary development shall be offset at a ratio of 2:1 through participation in water conservation programs listed in section g below. Any net existing demand shall be taken into account in the calculation of required offsets of net new water demand.

- g. Offset programs using non-agricultural water may include but are not limited to following:
- i. Retiring the development potential of rural lots in the Paso Robles Groundwater basin through an agreement with the County or qualified land trust.
  - ii. Retrofitting plumbing fixtures in the Paso Robles Groundwater Basin. Purchasing supplemental water for a water supplier that uses groundwater from the main Paso Robles Groundwater Basin
  - iii. Participating in an approved water conservation program in the Paso Robles Groundwater Basin that results in water savings-
  - iv. Participating in an approved water conservation program in the San Miguel urban area.
  - v. Reducing water demand in the Paso Robles Groundwater Basin through other means approved by the Planning Director.
- h. Any required offset of net new water demand shall be completed at the time of final inspection or issuance of a certificate of occupancy unless an alternative completion time (which may be more or less time) is approved by the review authority. In any case, the review authority must find the offsets to be real, verifiable, permanent and enforceable.
- i. All new discretionary development shall be designed and operated to use water as efficiently as possible. At a minimum, the following interior water fixtures shall be installed:
- i. Showerheads using no more than 2.5 gallons per minute (gpm)
  - ii. Tankless, instant hot water systems or hot water circulation systems.